

3739

PATENT

THIN-03800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
S. Ward Casscells, III

Serial No. 09/740,147

Filed: December 17, 2000

For: Ablation of Atrial Fibrillation by  
Thermal Apoptosis

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Atty. Dkt. No.: THIN-03800

Examiner: Johnson

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below and telecopied:

11.6.03 *Raymond A. Veau*  
Date Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Transmittal Letter

Dear Sir:

Enclosed are the following:

1. Response to Office Action dated October 6, 2003; and
2. Acknowledgment Postcard.

McDaniel & Associates, P.C. does not believe there is any filing fee for this response, but hereby authorizes the Commissioner to charge any fee that is necessary for the filing of this response to McDaniel & Associates, P.C. Deposit Account No. 50-1085.

Respectfully submitted,

Date: 11.6.03



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C. Steven McDaniel  
Registration No. 33,962

McDaniel & Associates, P.C.  
P.O. Box 2244  
Austin, Texas 78768-2244  
(512) 472-8282

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11.6.03 *Reynolds Alvan*  
Date Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**Response to Office Action Dated October 6, 2003**

This is a reply to the Office Action mailed October 6, 2003, setting a one month statutory period for response. Please enter the following amendments and remarks into the record.

**ELECTION/RESTRICTIONS AMENDMENT**

The Examiner has instructed Applicant that the application must be restricted to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-56, drawn to surgical methods, classified in class 128, subclass 898.
- II. Claims 57-63, drawn to surgical instruments with heat application, classified in class 606, subclass 027.

Applicant hereby elects to proceed with Group II, Claims 57-63.

Applicant also hereby requests Claims 1-56 be canceled without prejudice and can be refiled in a continuing application setting forth additional inventions.

**Status of the Claims**

Claims 57-63 presently stand pending subject to restriction and/or election requirement.

Claims 1-56 have been canceled without prejudice.

The Commissioner is authorized to charge to McDaniel & Associates P.C. Deposit Account No. 50/1085, any fee for extension of time deemed necessary to make timely the filing of this response.

Respectfully submitted,

Date: 11.6.03



C. Steven McDaniel  
Registration No. 33,962

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